

# PUBLIC NOTICE

**PERMIT APPLICATION:** NRS08.055

**APPLICANT:** Ron Burkett  
P. O. Box 175  
Oakland, TN 38060  
901-466-9261

**LOCATION:** unnamed tributary to Cypress Creek Canal. Lot 164 Whispering Meadows Subdivision, Oakland, Fayette County 35.2325°N, 89.5150°W

**WATERSHED DESCRIPTION:** The tributary has not been assessed. This tributary is characterized as a channelized, first order stream. Cypress Creek (segment ID TN08010209003\_1000) is classified for fish and aquatic life (non-supporting), recreation (non-supporting), irrigation (supporting), and livestock watering and wildlife (supporting). Causes are listed as sedimentation/siltation, phosphate, Escherichia coli, and physical substrate habitat alterations resulting from channelization.

This notice may be viewed on the internet at:  
<http://www.state.tn.us/environment/wpc/ppo/arap>.

**PROJECT DESCRIPTION:** The applicant proposes to relocate about 140 feet of stream channel. Bank erosion has allowed the stream to move laterally closer to the structure of a newly built home. The application proposes to re-straighten the stream channel to move it away from the home. The shape of the new channel is proposed to be consistent with the existing channel up and downstream of the work site.

In accordance with the Tennessee Antidegradation Statement (Rule 1200-4-3-.06), the division has determined that the proposed activity will not result in degradation to water quality.

**PERMIT COORDINATOR:** Robert Baker

No decision has been made whether to issue or deny this permit. The purpose of this notice is to inform interested parties of this permit application and to ask for comments and information necessary to determine possible impacts to water quality. Persons wishing to comment on the proposal are invited to submit written comments to the department. Written comments must be received within **thirty days of the date that this notice is posted**. Comments will become part of the record and will be considered in the final decision. The applicant's name and permit number should be referenced.

Interested persons may also request in writing that the department hold a public hearing on this application. The request must be filed within the comment period, indicate the interest of the person requesting it, the reasons that the hearing is warranted, and the water quality issues being raised. When there is sufficient public interest in water quality issues, the department will hold a public hearing.

The permit application, supporting documentation including detailed plans and maps, and related comments are available at the department's address for review and/or copying. The department's address is:

Tennessee Department of Environment & Conservation  
Division of Water Pollution Control, Natural Resources Section  
7th Floor L & C Annex  
401 Church Street  
Nashville, TN 37243

In deciding whether to issue or deny a permit, the department will consider all comments of record and the requirements of applicable federal and state laws. In making this decision, a determination will be made regarding the lost value of the resource compared to the value of any proposed mitigation. The department shall consider practicable alternatives to the alteration. The department shall also consider loss of waters or habitat, diminishment in biological diversity, cumulative or secondary impacts to the water resource, and adverse impact to unique, high quality, or impaired waters.



